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L A W S

— OF —

HIS MAJESTY KALAKAUA,

KING OF THE HAWAIIAN ISLANDS,

PASSED BY

THE LEGISLATIVE ASSEMBLY,

AT ITS SESSION,

1880.

PUBLISHED BY AUTHORITY.

HONOLULU :
P. C. ADVERTISER CO. STEAM PRINT,
1880.

SESSION LAWS, 1880.

CHAPTER I.

AN ACT

TO REPEAL AN ACT APPROVED ON THE THIRTY-FIRST DAY OF DECEMBER, IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND SIXTY-FOUR, ENTITLED "AN ACT FOR PREVENTING COLLISIONS AT SEA," AND TO MAKE OTHER PROVISIONS IN LIEU THEREOF.

WHEREAS, The Government of the United Kingdom of Great Britain and Ireland has invited the Hawaiian Government to adopt the rules and regulations framed and adopted by the British Government to prevent collisions at sea, and to substitute those rules and regulations which are specified in the first schedule hereto for the rules and regulations contained in the above-mentioned Act.

AND WHEREAS, It has been made to appear to the Hawaiian Government that the Governments of the several foreign countries mentioned in the second schedule hereto are respectively willing that the rules and regulations contained in the said first schedule shall apply to ships of the said countries, whether within their territorial jurisdiction or not.

AND WHEREAS, It is desirable that the Hawaiian Government should adhere to such substituted rules and regulations. Therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. The said recited Act, approved on the 31st day of December, A.D. 1864, shall be and the same is hereby repealed.

SECTION 2. It shall be the duty of all masters of Hawaiian vessels to observe and enforce on board the vessels under their command the several rules and regulations contained in the first schedule hereto.

SECTION 3. His Majesty may from time to time, by an Order in Council, annul or modify any of the said rules and regulations, or make new regulations in addition thereto, or in substitution thereof ; and any alterations in or additions to such regulations made in manner aforesaid shall be of the same force with respect to Hawaiian vessels as the regulations in the said first schedule hereto.

SECTION 4. It shall be the duty of the Collector-General of Customs to cause two copies of the said rules and regulations, in Hawaiian and English, to be delivered to all masters of Hawaiian vessels applying for the same.

SECTION 5. This Act shall come into force and take effect from and after the first day of September, one thousand eight hundred and eighty.

THE FIRST SCHEDULE.

PRELIMINARY.

ARTICLE 1. In the following rules, every steamship which is under sail, and not under steam, is to be considered a sailing-ship ; and every steamship which is under steam, whether under sail or not, is to be considered a ship under steam.

RULES CONCERNING LIGHTS.

ARTICLE 2. The lights mentioned in the following Ar-

ticles, numbered 3, 4, 5, 6, 7, 8, 9, 10 and 11, and no others shall be carried in all weathers, from sunset to sunrise.

ARTICLE 3. A sea-going steamship, when under way, shall carry—

(a) On or in front of the foremast, at a height above the hull of not less than 20 feet ; and if the breadth of the ship exceeds 20 feet, then at a height above the hull, and not less than such breadth, a bright white light so constructed as to show an uniform and unbroken light over an arc of the horizon of twenty points of the compass, so fixed as to throw the light ten points on each side of the ship, viz., from right ahead to two points abaft the beam on either side, and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least five miles.

(b) On the starboard side a green light, so constructed as to show an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the starboard side, and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles.

(c) On the port side a red light, so constructed as to show an uniform and unbroken light over an arc of the horizon of ten points of the compass, so fixed as to throw the light from right ahead to two points abaft the beam on the port side, and of such a character as to be visible on a dark night with a clear atmosphere at a distance of at least two miles.

(d) The said green and red side-lights shall be fitted with inboard screens projecting at least three feet forward from the light, so as to prevent these lights from being seen across the bow.

ARTICLE 4. A steamship, when towing another ship, shall, in addition to her side-lights, carry two bright white lights in a vertical line, one over the other, not less than three feet apart, so as to distinguish her from other steamships. Each of

these lights shall be of the same construction and character, and shall be carried in the same position as the white light which other steamships are required to carry.

ARTICLE 5. A ship, whether a steamship or a sailing-ship, when employed either in laying or in picking up a telegraph cable, or which from any accident is not under command, shall at night carry in the same position as the white light which steamships are required to carry ; and if a steamship, in place of that light, three red lights in globular lanterns, each not less than ten inches in diameter in a vertical line one over the other, not less than three feet apart, and shall by day carry in a vertical line, one over the other not less than three feet apart, in front of, but not lower than her foremast-head, three black balls or shapes each two feet in diameter.

These shapes and lights are to be taken by approaching ships as signals that the ship using them is not under command, and cannot therefor get out of the way.

The above ships, when not making any way through the water, shall not carry the side lights, but when making way shall carry them.

ARTICLE 6. A sailing-ship under way, or being towed, shall carry the same lights as are provided by Article 3 for a steamship under way, with the exception of the white light, which she shall never carry.

ARTICLE 7. Whenever, as in the case of small vessels during bad weather, the green and red side-lights cannot be fixed, these lights shall be kept on deck, on their respective sides of the vessel ready for use, and shall, on the approach of or to other vessels, be exhibited on their respective sides in sufficient time to prevent collision, in such manner as to make them most visible, and so that the green light shall not be seen on the port side, nor the red light on the starboard side.

To make the use of these portable lights more certain and easy, the lanterns containing them shall each be painted out-

side with the colour of the light they respectively contain, and shall be provided with proper screens.

ARTICLE 8. A ship, whether a steamship or a sailing-ship, when at anchor, shall carry where it can best be seen, but at a height not exceeding 20 feet above the hull, a white light in a globular lantern of not less than eight inches in diameter, and so constructed as to show a clear uniform and unbroken light, visible all round the horizon at a distance of at least one mile.

ARTICLE 9. A pilot vessel, when engaged on her station on pilotage duty, shall not carry the lights required for other vessels, but shall carry a white light at the mast-head, visible all round the horizon, and shall also exhibit a flareup light or flareup lights at short intervals, which shall never exceed fifteen minutes. A pilot vessel, when not engaged on her station on pilotage duty, shall carry lights similar to those of other ships.

ARTICLE 10. (a) Open fishing-boats and other open boats, when under way, shall not be obliged to carry the side-lights required for other vessels ; but every such boat shall, in lieu thereof, have ready at hand a lantern with a green glass on the one side, and a red glass on the other side ; and, on the approach of or to other vessels, such lantern shall be exhibited in sufficient time to prevent collision, so that the green light shall not be seen on the port side, nor the red light on the starboard side.

(b) A fishing vessel and an open boat, when at anchor, shall exhibit a bright white light.

(c) A fishing vessel, when employed in drift net-fishing, shall carry on one of her masts two red lights in a vertical line, one over the other, not less than three feet apart.

(d) A tawler at work shall carry on one of her masts two lights in a vertical line, one over the other, not less than three feet apart, the upper light red and the lower green ; and shall also either carry the side-lights required for other

vessels ; or, if the side-lights cannot be carried, have ready at hand the coloured lights as provided in Article 7, or a lantern with a red and a green glass as described in paragraph (a) of this Article.

(e) Fishing vessels and open boats shall not be prevented from using a flareup in addition if they desire to do so.

(f) All lights required by this Article, except side-lights, shall be in globular lanterns, so constructed as to show all round the horizon.

ARTICLE 11. A ship which is being overtaken by another shall show from her stern to such last-mentioned ship a white light or a flareup light.

SOUND SIGNALS FOR FOG, &c.

ARTICLE 12. A steamship shall be provided with a steam-whistle or other efficient steam-sound signal, so placed that the sound may not be intercepted by any obstructions, and with an efficient fog-horn to be sounded by a bellows or other mechanical means, and also with an efficient bell.

A sailing ship shall be provided with a similar fog-horn and bell. In fog, mist, or falling snow, whether by day or night, the signals described in this Article shall be used as follows, that is to say :—

(a) A steamship under way shall make with her steam-whistle or other steam-sound signal, at intervals of not more than two minutes, a prolonged blast.

(b) A sailing ship under way shall make with her fog-horn at intervals of not more than two minutes, when on the star-board tack, one blast ; when on the port tack, two blasts in succession ; and when, with the wind abaft the beam, three blasts in succession.

(c) A steamship and a sailing-ship, when not under way, shall, at intervals of not more than two minutes, ring the bell.

Speed of ships to be moderate in fog, &c.

ARTICLE 13. Every ship, whether a sailing ship, or steamship, shall in a fog, mist, or falling snow, go at a moderate speed.

STEERING AND SAILING RULES.

ARTICLE 14. When two sailing-ships are approaching one another, so as to involve risk of collision, one of them shall keep out of the way of the other, as follows, viz. :—

(a) A ship which is running free shall keep out of the way of a ship which is close-hauled.

(b) A ship which is close-hauled on the port tack shall keep out of the way of a ship which is close-hauled on the starboard tack.

(c) When both are running free, with the wind on different sides, the ship which has the wind on the port side shall keep out of the way of the other.

(d) When both are running free, with the wind on the same side, the ship which is to windward shall keep out of the way of the ship which is to leeward.

(e) A ship which has the wind aft shall keep out of the way of the other ship.

ARTICLE 15. If two ships under steam are meeting end on, or nearly end on so as to involve risk of collision, each shall alter her course to starboard, so that each may pass the port side of the other. This article only applies to cases where ships are meeting end on or nearly end on, in such a manner as to involve risk of collision, and does not apply to two ships which must, if both keep on their respective courses, pass clear of each other.

The only cases to which it does apply are, when each of the two ships is end on, or nearly end on, to the other—in other words, to cases in which, by day, each ship sees the mast of the other in a line, or nearly in a line with her own, and by night, to cases in which each ship is in such a position as to see both the side-lights of the other.

It does not apply by day to cases in which a ship sees another ahead crossing her own course, or by night to cases where the red light of one ship is opposed to the red light of the other; or where the green light of one ship is opposed to the green light of the other; or where a red light without a green light, or a green light without a red light, is seen ahead, or where both green and red lights are seen anywhere but ahead.

ARTICLE 16. If two ships under steam are crossing, so as to involve risk of collision, the ship which has the other on her own starboard side shall keep out of the way of the other.

ARTICLE 17. If two ships, one of which is a sailing-ship and the other a steamship, are proceeding in such directions as to involve risk of collision, the steamship shall keep out of the way of the sailing-ship.

ARTICLE 18. Every steamship, when approaching another ship so as to involve risk of collision, shall slacken her speed, or stop and reverse if necessary.

ARTICLE 19. In taking any course authorized or required by these Regulations, a steamship under way may indicate that course to any other ship which she has in sight by the following signals on her steam-whistle, viz. :—

One short blast to mean—"I am directing my course to starboard."

Two short blasts to mean—"I am directing my course to port."

Three short blasts to mean—"I am going full speed astern."

The use of these signals is optional ; but if they are used, the course of the ship must be in accordance with the signal made.

ARTICLE 20. Notwithstanding anything contained in any preceeding Article, every ship, whether a sailing-ship or a

steamship, overtaking any other, shall keep out of the way of the overtaken ship.

ARTICLE 21. In narrow channels every steamship shall, when it is safe and practicable, keep to that side of the fairway or mid-channel which lies on the starboard of such ship.

ARTICLE 22. Where by the above rules, one of two ships is to keep out of the way, the other shall keep her course.

ARTICLE 23. In obeying and construing these rules, due regard shall be had to all dangers of navigation, and to any special circumstances which may render a departure from the above rules necessary, in order to avoid immediate danger.

No ship, under any circumstances, to neglect proper precautions.

ARTICLE 24. Nothing in these rules shall exonerate any ship, or the owner or master, or crew thereof, from the consequences of any neglect to carry lights or signals, or of any neglect to keep a proper look-out, or of the neglect of any precaution which may be required by the ordinary practice of seamen, or by the special circumstances of the case.

RESERVATION OF RULES FOR HARBORS AND INLAND NAVIGATION.

ARTICLE 25. Nothing in these rules shall interfere with the operation of a special rule duly made by local authority relative to the navigation of any harbor, river, or inland navigation.

SPECIAL LIGHTS FOR SQUADRONS AND CONVOYS.

ARTICLE 26. Nothing in these rules shall interfere with the operation of any special rules made by the Government of any nation with respect to additional station and signal lights for two or more ships of war, or for ships sailing under convoy.

THE SECOND SCHEDULE.

AUSTRO-HUNGARY,
BELGIUM,
CHILE,
DENMARK,
FRANCE,
GERMANY,
GREAT BRITAIN,
GREECE,

ITALY,
NETHERLANDS,
NORWAY,
PORTUGAL,
RUSSIA,
SPAIN,
SWEDEN,
UNITED STATES.

Approved this 30th day of July, A.D. 1880.

KALAKAUA R.

CHAPTER II.

AN ACT

TO AMEND CHAPTER XXXIX OF THE SESSION LAWS OF 1874,
BEING AN ACT ENTITLED "AN ACT TO ABOLISH THE OFFICE OF
THE SECRETARY AT WAR AND THE NAVY."

*Be it Enacted by the King and the Legislative Assembly of
the Hawaiian Islands, in the Legislature of the Kingdom
assembled :*

SECTION 1. That Section 1 of Chapter 39 of the Session
Laws of 1874, being "An Act to abolish the office of Secre-
tary at War and of the Navy," be and the same is hereby
amended to read as follows:

"Section 1. That from and after the passage of this Act,
the Minister of Foreign Affairs is authorized to draw from
the Government Treasury the several appropriations as set
apart for the King's Guards, the Band, Flags and Salutes and
the Volunteers, and pay over the appropriation for the King's
Guards to whomsoever the King may appoint to receive the
same. The appropriation for the Band, Flags and Salutes
shall be paid to the Governor of Oahu. The appropriation

for the Volunteers shall be paid to the commanding officer of each volunteer corps, and the said Minister shall account for such disbursements biennially to the Legislature.”

SECTION 2. This Act shall take effect from and after the date of its passage, and all rules and regulations, laws or parts of laws inconsistent or in contravention herewith, shall be and the same are hereby repealed.

Approved this 30th day of July, A. D. 1880.

KALAKAUA R.

CHAPTER III.

AN ACT

TO PROVIDE FOR THE SANITARY CONDITION OF DWELLING HOUSES.

WHEREAS, on account of the over-crowding of persons in certain localities, it is expedient to provide for the sanitary condition of dwelling-houses and their surroundings, therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled :

SECTION 1. Every house or tenement used or occupied as a dwelling for lodgers or contract laborers shall be kept by its owner in good repair, with the roof water-tight, and shall have the capacity of not less than three hundred cubic feet of space for each adult, or nine hundred cubic feet for one man and woman and two children.

SECTION 2. The yard and grounds about all dwellings shall be well drained and kept free from rubbish of every description, with a closet or privy, also to be kept in repair by the lodging-house keeper or employer of laborers, for every six adults.

SECTION 3. Every owner or keeper and every other person having the care or management of a lodging-house or of a dwelling for contract laborers, shall at all times when required by the Board of Health or its agents give free access to such house or any part thereof.

SECTION 4. Every lodging-house keeper or employer of laborers who shall fail to comply with the provisions of this Act shall pay a fine not exceeding fifty dollars.

SECTION 5. Every person who shall keep his dwelling in so filthy a state as to be a nuisance or injurious to health, or who shall refuse or neglect to remove any nuisance or substance he may have caused or placed in the vicinity of the dwelling he occupies or any other dwelling, or shall commit any nuisance in any stream or thoroughfare, shall on conviction pay a fine not exceeding three dollars, or be imprisoned at hard labor for any term not exceeding thirty days.

SECTION 6. This Act shall take effect ninety days after its passage.

Approved on the 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER IV.

AN ACT

TO FIX THE COMPENSATION OF PILOTS AT THE PORTS OF KAHULUI, MAUI, AND HILO, HAWAII.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. The compensation of the pilots at the ports of Kahului, Maui, and Hilo, Hawaii, shall be as follows:

One dollar and fifty cents per foot on the vessel's draft

coming into port, and the same for going out of port. For anchoring any vessel off the said ports of Kahului and Hilo, ten dollars; provided that the pilot be not detained on board longer than twenty-four hours, and for all detention on board beyond that time five dollars per day.

SECTION 2. This Act shall take effect and become a law from and after the date of its publication, and all laws and parts of laws inconsistent herewith are hereby repealed.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER V.

AN ACT

TO INDEMNIFY THE MINISTER OF FINANCE.

WHEREAS, it appears from the Report of the Minister of Finance that the following expenditures were advised by the Privy and Cabinet Councils, viz.:

National Debt called in.....	\$ 9,000 00
Encouragement of Immigration.....	20,000 00
Support of Prisoners	24,019 11
Leper Establishments.....	22,580 65

Amounting to the sum of seventy-five thousand five hundred and ninety-nine dollars and seventy-six cents.

AND WHEREAS, the Minister of Finance requests to be discharged from further liability on account of said expenditures, therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That the Minister of Finance and all others

legally responsible are hereby indemnified and discharged from all liability on account of the expenditures detailed in the above preamble, and that the books of the Treasury be adjusted accordingly.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER VI.

AN ACT

TO AMEND SECTION 1 OF CHAPTER 45 OF THE SESSION LAWS OF A. D. 1876, RELATING TO SECTION 1420 OF THE CIVIL CODE AS AMENDED.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That the words "with costs" in Section 1 of Chapter 45 of the Session Laws of A. D. 1876 be and the same is hereby repealed.

SECTION 2. This Act shall take effect and become a law from the date of its approval.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER VII.

AN ACT

TO PERPETUATE THE GENEALOGY OF THE CHIEFS OF HAWAII.

WHEREAS, it is provided by the 22d Article of the Constitution that the kings of Hawaii shall be chosen from the native chiefs of the kingdom;

AND WHEREAS, at the present day it is difficult to ascertain who are the chiefs, as contemplated by said Article of the Constitution, and it is proper that such genealogies of the kingdom be perpetuated, and also the history of the chiefs and kings from ancient times down to the present day, which would also be a guide to the King in the appointment of Nobles in the Legislative Assembly, therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. His Majesty the King in Cabinet Council shall appoint some proper person or persons to collect from genealogical books, and from the knowledge of old people the history and genealogy of the Hawaiian chiefs, and shall publish a book of the doings of such Board, which shall be called "The Board of Genealogy of Hawaiian Chiefs," during such time as it may be in session.

SECTION 2. The Minister of Interior is hereby authorized to pay the members of said Board at a rate not exceeding two dollars per day, and for all the other expenses of the said Board, not exceeding two thousand dollars, which sum shall include the purchase of books, travelling expenses, paper, pens, ink, books, and so forth, for searching for ancient things which have been lost or concealed in places of concealment, and for ascertaining the places of sepulture of the ancient chiefs, where their bones are now concealed; which sum shall be paid out of any monies not otherwise appropriated by the Appropriation Bill.

SECTION 3. Said Board may make such rules and regulations as may be necessary for them and for their work, and shall submit the same to His Majesty the King in Cabinet Council before commencing their duties.

SECTION 4. This Act shall become a law from the date of its approval.

Approved on the 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER VIII.

AN ACT

RELATING TO LAUNDRIES AND WASH HOUSES.

WHEREAS, the increasing number of laundries and wash houses within the limits of the city of Honolulu, tends to the propagation and dissemination of disease;

AND WHEREAS, it is advisable that all laundries and wash houses should be placed under the control and inspection of the Board of Health, therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. It shall be lawful for, and the Minister of the Interior is hereby authorized and empowered to cause to be built and erected on the banks of the stream known as the "Makaho stream," on the land called "Kaliukai," a sufficient number of laundries and wash houses, and to let the same to such persons applying therefore at such rents and upon such terms as the said Minister shall deem reasonable.

SECTION 2. Such laundries and wash houses when erected shall be under the supervision and control of the Board of Health.

SECTION 3. From and after the commencement of this Act every person who shall carry on the business of laundry keeping, or washing for hire within the limits of the city of Honolulu, except in such buildings as shall be erected as provided

by Section 1 of this Act, shall be liable to a fine of fifty dollars for each and every day, or part of a day, during which he shall so carry on such business, and in default of payment of such fine shall be imprisoned at hard labor until such fine is paid.

SECTION 4. The City of Honolulu for the purposes of this Act, shall be deemed to be included within a circuit of three miles, from the junction of Nuuanu and King streets.

SECTION 5. Nothing in this Act contained, shall be deemed or construed to prevent persons washing in, or on the banks of streams, in places hitherto used for that purpose.

SECTION 6. This Act shall take effect and become a law on the 1st day of October next.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER IX.

AN ACT

TO AMEND SECTION 237 OF THE CIVIL CODE, AND TO AMEND THE ACT APPROVED ON THE 4TH DAY OF AUGUST, A. D. 1874.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled :

SECTION 1. That Section 237 of the Civil Code be, and the same is hereby amended, so as to read as follows :

“Section 237. It shall be the duty of every pound master to publish in some newspaper, both in Hawaiian and English languages, or post written notices weekly in both languages in three public places in his district, and also cause to be proclaimed *viva voce* in said languages weekly an account of all estrays in his pound, and it shall be the duty of

every pound master to inform by mail every individual out of his district who shall leave with him a copy of his brand of any estray bearing the said brand, which shall be lodged in the pound under his charge, and if the owners do not claim such estrays and pay the pound fees, that is to say, fifty cents per day for each day's detention, expenses of advertising and the damages to the person on whose property the trespass was committed, within fifteen days from the date of the impounding, such notice having been giving as above provided, it shall be lawful for the pound master to sell such estrays at public auction, and to facilitate the notice to be given in both languages, it shall be the duty of the Minister of the Interior to furnish each pound master with a copy of a proper notice in both languages, stating in detail the description of all animals impounded. The Minister of the Interior shall prepare the same and keep a correct account of the cost of printing the same, and each pound master shall pay the cost price of such blanks furnished him."

SECTION 2. This Act shall take effect on the date of its approval, and the Act approved on the 4th day of August, A. D. 1874, be, and the same is hereby repealed.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER X.

AN ACT

TO INCREASE THE JURISDICTION OF DISTRICT JUSTICES IN CASES
OF SERIOUS ASSAULT.

*Be it Enacted by the King and the Legislative Assembly of the
Hawaiian Islands in the Legislature of the Kingdom as-
sembled:*

SECTION 1. A like jurisdiction with that conferred upon the Supreme and Circuit Court and Police Courts of Honolulu, Hilo and Lahaina, is hereby conferred upon all Police and District Courts of this Kingdom in all cases of felonious assault by knife, sword, sword-cane or other dangerous weapon injurious to life excepting the cases hereinafter mentioned as being excepted.

SECTION 2. In cases where the offense is not of a highly aggravated character the said Police Courts may punish the offender by fine not exceeding two hundred dollars and by imprisonment not exceeding two years; but in cases where such punishment would be inadequate, the offender shall be committed for trial according to existing provisions of law.

SECTION 3. This Act shall become a law from and after the date of its approval.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XI.

AN ACT

TO AMEND SECTION 498 OF THE CIVIL CODE.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That Section 498 of the Civil Code as amended by an Act approved the 1st day of August, A. D. 1878, be and the same is hereby amended so as to read as follows:

“Section 498. For taxation, educational and judicial purposes the several islands shall be divided into the following districts:

“The island of Hawaii shall be divided into eight districts, as follows: 1, Hilo; 2, Puna; 3, Kau; 4, South Kona; 5,

North Kona; 6, South Kohala; 7, North Kohala; 8, Hamakua.

“The islands of Maui, Molokai, Lanai and Kahoolawe shall be divided into six districts, as follows: 1, from Kahakuloa to Ukumehame, including Kahoolawe, to be called the Lahaina District; 2, from Waihee to Honuaula inclusive, to be called the Wailuku District; 3, Kahikinui, Kaupo, Kipahulu, Hana and Koolau, to be called the Hana District; 4, Hamakualoa, Hamakuapoko, Haliimaile, Makawao and Kula, to be called the Makawao District; 5, Molokai; 6, Lanai.

“The island of Oahu shall be divided into five districts, as follows: 1, From Maunaloa to Moanalua inclusive, to be styled the Honolulu District; 2, Ewa and Waianae, to be styled the Ewa District; 3, Waialua; 4, Koolauloa; 5, Koolaupoko.

“The islands of Kauai and Niihau shall be divided into six districts, as follows: 1, from Nualolo to Hanapepe inclusive, to be styled the Waimea District; 2, from Ili of Elieli to Maunalepu inclusive, to be styled the Koloa District; 3, from Kipu to Hanamaulu inclusive, to be styled the Lihue District; 4, from Waialua to Moloaa inclusive, to be styled the Kawaihau District; 5, from Lepeuli to Honopu inclusive, to be styled the Hanalei District; 6, Niihau.”

SECTION 2. All laws and parts of laws in contravention herewith are hereby repealed.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XII.

AN ACT

TO REPEAL SECTIONS 118 AND 119 OF THE CIVIL CODE AS AMENDED BY AN ACT APPROVED ON THE TWENTY-SECOND DAY OF JUNE, 1868, ENTITLED “AN ACT TO AMEND SECTIONS 118, 119 AND 120, AND TO REPEAL SECTION 121 OF THE CIVIL CODE.”

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. Sections 118 and 119 of the Civil Code as amended by an Act approved on the twenty-second day of June, 1838, entitled "An Act to amend Sections 118, 119 and 120 and to repeal Section 121 of the Civil Code," shall be and the same are hereby repealed.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XIII.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT REGULATING THE PRACTICE OF LAW IN THE POLICE AND DISTRICT COURTS," APPROVED ON THE 5TH DAY OF AUGUST, A. D. 1878.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:

SECTION 1. That Section 1074b of the Act regulating the practice of Law, approved on the 5th day of August, A. D. 1878, be and the same is hereby amended so as to read as follows :

"Section 1074b. The said license shall be for the term of two years, and shall be valid in all the Judicial Circuits of the Kingdom. The fee for a license shall be five dollars for the first issue, and two dollars for each renewal thereof. Such license may be in the following form :

".....Court.

".....Esquire, having been examined, and found

duly qualified and of good moral character, is hereby licensed to practice in the Police and District Courts of all the Judicial Circuits of the Kingdom as an Attorney at Law for the term of two years from date.

“By order of the Court.

“.....Secretary.

“Dated.....”

SECTION 2. This Act shall become a law from the date of its approval, and all laws and parts of laws in contravention herewith are hereby repealed.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XIV.

AN ACT

TO ENCOURAGE STEAM NAVIGATION BETWEEN HONOLULU AND
SAN FRANCISCO.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:

SECTION 1. The Minister of the Interior on behalf of the Hawaiian Government is hereby authorized to contract for a term not exceeding ten years, with individuals or incorporated companies, for running efficient and sea worthy steamships of not less than fifteen hundred tons each, and registered under the laws of this Kingdom, between Honolulu and San Francisco, in consideration of which there shall be paid to said individuals or companies a sum not exceeding Twenty-Four Thousand Dollars per annum, provided that no such contract shall be executed without the consent of His

Majesty the King in Privy Council, and such contract shall require under suitable penalties, that trips shall be regularly run, not less frequently than twice each month from each end of the route, that the running time shall not be more than nine days from port to port, and that the rate demanded for first-class passage shall not exceed Seventy-Five Dollars for every passenger, and that the rate of freight upon ordinary merchandise from either port shall not exceed five dollars per ton and five per cent. primage, and that the rate of freight on specie shall not exceed one-half of one per cent., and that the mails shall be carried between said ports free of charge to the Hawaiian Government or the Post Office Department.

SECTION 2. Said individuals or companies shall have and be entitled to all the privileges and exemptions to which foreign steam lines are now entitled by law.

SECTION 3. The Minister of Finance is hereby authorized and required to pay such subsidy to the contracting parties, out of any money in the Public Treasury, not otherwise appropriated by law.

Approved on this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XV.

AN ACT

TO LICENSE THE SLAUGHTER AND SALE OF PORK.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. The Minister of the Interior shall at any time license for the term of one year, any applicant to Slaughter

and Sell Pork, upon receiving for such license the sum of twenty dollars, provided however that the provisions of this Act shall not be held to apply to the sale of pork which is "kaluaed" or cooked in the Hawaiian style.

SECTION 2. Whoever shall Slaughter or Sell Pork without having first obtained a license therefor, as provided in Section 1 of this Act, shall be subject to a fine of not less than ten nor more twenty-five dollars for each offense, in the discretion of the Court.

SECTION 3. Every License to Slaughter and Sell Pork shall be signed by the Minister of the Interior, and impressed with the Seal of his Department, and no such license shall be transferable.

SECTION 4. This Act shall take effect and become a law from and after the date of its publication.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XVI.

AN ACT

TO PROVIDE FOR THE SAFE CUSTODY OF WILLS AND TESTAMENTARY PAPERS.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. Whenever any will or testamentary paper shall be admitted to probate by any Circuit Judge, it shall be the duty of such Circuit Judge, within one month after such will or testamentary paper shall have been so admitted to probate, to forward the same to the clerk of the Supreme Court, to be by him filed and preserved in the office of such court.

SECTION 2. It shall be the duty of all Circuit Judges and the clerks of the several Circuit Courts, as soon as conveniently may be, after the passage of this Act, to forward all original wills and testamentary papers which may be in their custody and theretofore admitted to probate, to the said clerk of the Supreme Court, to be by him filed and pre-erved as aforesaid.

SECTION 3. The several Circuit Judges and clerks of the Circuit Courts, shall retain copies of all wills and testamentary papers so forwarded by them under the provisions of this Act.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XVII.

AN ACT

TO AMEND SECTION 264 OF THE CIVIL CODE RELATING TO THE APPOINTMENT OF DEPUTY SHERIFFS IN ALL DISTRICTS OF THE KINGDOM.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled :

SECTION 1. That Section 264 of the Civil Code be and the same is hereby amended so as to read as follows :

“Section 264. Said sheriffs, upon approval of the marshal, shall have power to appoint deputies in their respective divisions, for whose official Acts they shall be severally responsible, and from whom they may exact bonds of private indemnity. Said Deputy-Sheriffs shall be paid yearly according to appropriations made by the legislature.”

SECTION 2. This Act shall become a law from and after the date of its approval.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XVIII.

AN ACT

TO AMEND SECTION 1 AND 3 OF AN ACT, BEING CHAPTER 56 OF THE SESSION LAWS OF THE YEAR 1874, ENTITLED "AN ACT TO RESTRICT THE IMPORTATION AND SALE OF OPIUM," AS AMENDED BY AN ACT APPROVED ON THE 29TH DAY OF SEPTEMBER, 1876.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:

SECTION 1. Section 1 of the said firstmentioned Act shall be and the same is hereby amended so as to read as follows :

"Section 1. The importion of Opium or any preparation thereof into this Kingdom, except as authorized by Section 2 of this Act, is hereby strictly prohibited ; and whoever shall import, sell, give, or furnish Opium or any preparation thereof to any person in this Kingdom, except as provided in said Section 2, shall be liable to a penalty of not less than One Hundred Dollars, nor more than Five Hundred Dollars, and to be imprisoned at hard labor for any term not exceeding Two Years, one-half of which pecuniary penalty shall be paid to the party giving the information which shall lead to the conviction of the offender."

SECTION 2. Section 3 of the said firstmentioned Act shall be and the same is hereby amended so as to read as follows :

“Section 3. Any person who shall have in his possession Opium or any preparation thereof which he shall not have received from the Board of Health, or from a duly Licensed Physician or Surgeon as prescribed in Section 2 of this Act, shall forfeit such opium or preparation thereof to the Hawaiian Government, and the same shall be seized and delivered to the Board of Health; and such person shall be liable to a penalty of not less than Fifty, nor more than Two Hundred and Fifty Dollars, and to be imprisoned at hard labor for a term of not more than One Year, one-half of which pecuniary penalty shall be paid to the party giving the information which shall lead to the conviction of the offender.”

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XIX.

AN ACT

RELATING TO THE PRACTICE OF MEDICINE BY CHINESE PHYSICIANS.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. It shall be lawful for the Minister of the Interior, or on the recommendation of the Board of Health, to grant and issue a license to practice medicine to any native of China applying therefor, and who shall produce to such Board of Health a diploma or authority to practice medicine in China, together with a certificate of the good moral character of such applicant, and evidence of identity with the person named in such diploma or authority to practice.

SECTION 2. Such applicant shall also produce to such Board of Health a certificate from the Chinese Consul or Commercial Agent residing in Honolulu, that the aforesaid documents are in proper form according to the laws of China, and that the same are signed or issued by the proper officers; and that to the best of his knowledge and belief the applicant is the person mentioned in such documents, and that he is a fit and proper person to receive such license as aforesaid, which certificates, diploma, or authority shall be filed in the office of the Minister of the Interior.

SECTION 3. Every such person so licensed as aforesaid shall be subject to the same laws and restrictions as other licensed physicians and surgeons.

SECTION 4. This Act shall become a law from the date of the approval.

Approved this 13th day of August. A.D. 1880.

KALAKAUA R.

CHAPTER XX.

AN ACT

TO PROVIDE FOR THE LICENSING OF KEEPERS OF LIVERY STABLES WITHIN THE DISTRICT OF HONOLULU.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. Every keeper of a Livery Stable within the district of Honolulu shall pay an Annual License fee of fifty dollars.

SECTION 2. On payment of the said sum of fifty dollars, the Minister of the Interior may issue a license under his hand and the Seal of his Department, to the person or per-

sons named therein to carry on the business of a Livery Stable Keeper on the premises therein designated, for the term of one year.

SECTION 3. Every person who shall keep a Livery Stable within the district of Honolulu without having previously obtained a license under this Act, shall for every such offense forfeit and pay a sum not less than Fifty nor more than One Hundred Dollars.

SECTION 4. This Act shall become a law on the first day of September next.

Approved on the 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXI.

AN ACT

TO AMEND AN ACT APPROVED ON THE 23RD DAY OF MAY, A. D. 1868, ENTITLED, "AN ACT TO REGULATE CONTRACTS BETWEEN MASTERS AND SERVANTS."

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That Section 1 of the above mentioned Act shall be amended so as to read as follows :

"Section 1. All contracts for service between Masters and Servants where only one of the parties is a native Hawaiian shall be written or printed in both the Hawaiian and English languages. No such contract shall have any effect in law when executed in one language only, provided that nothing herein contained shall be held or construed to prevent any

such contracts being written or printed in the Hawaiian language only when both parties thereto are native Hawaiians."

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXII.

AN ACT

TO AMEND CHAPTER XXVII OF THE SESSION LAWS OF THE YEAR ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT, BEING AN ACT ENTITLED "AN ACT TO REGULATE THE CARRYING OF PASSENGERS AND FREIGHT, AND THE LETTING TO HIRE OF CARRIAGES, WAGONS, CARTS AND DRAYS, AND OTHER VEHICLES IN THE DISTRICT OF HONOLULU."

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislative of the Kingdom assembled:

SECTION 1. So much of Section 6 of the above recited Act as provides that no vehicle licensed to transport freight under the said Act shall draw more than one ton of two thousand pounds for each drawing horse or other animal, shall be and the same is hereby repealed.

SECTION 2. The powers of inspection given to the Marshal and Deputy Marshal by Section 3 of the said Act shall apply in like manner to the animals and harness used in drawing the vehicle therein referred to as to the vehicles themselves.

Approved on the 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXIII.

AN ACT

TO PROVIDE FOR THE DRAINAGE AND SEWERAGE OF THE CITY OF
HONOLULU.

*Be it Enacted by the King and the Legislative Assembly of the
Hawaiian Islands, in the Legislature of the Kingdom as-
sembled:*

SECTION 1. It shall be lawful for His Majesty, by and with the advice and consent of his Privy Council, to decide upon and adopt a Scheme for the drainage or sewerage of the city of Honolulu, as may be deemed expedient.

SECTION 2. For the purpose of this Act the Minister of the Interior shall as soon as convenient cause to be made surveys of the area within the limits of the city of Honolulu, and of the suburbs thereof which he may think necessary to include in such surveys, and a map or maps thereof, on such scale and with such indications of levels and particulars of sewers and underground works and of the surface as to him seems fit, and may cause such map or maps, or any part thereof, to be from time to time copied, engraven and published; and shall from time to time cause such map or maps to be revised and such additions made thereto as may shew the sewers and drains, houses or other alterations, and such map shall be submitted to His Majesty in Privy Council for action thereon as specified in Section 1, and after such action, shall be kept in the office of the Minister, and the same or a copy thereof shall be open at all reasonable times to the inspection of the owners or occupiers of lands or houses within the said city and suburbs.

SECTION 3. The said Minister, with such advice and consent as aforesaid may make any sewers or drains of such construction, and in such manner as may be thought proper,

and may (subject to the restrictions hereinafter mentioned) break up the soil of any public or private street, and may excavate and sink trenches for the purpose of laying down, making and constructing common sewers or drains therein; and may cause such common sewers or drains to communicate with the sea or any arm thereof, and also from time to time may open, cleanse and repair such sewers or drains or alter the position thereof; and also from time to time may make any drains or sewers from any main sewer or drain laid in any street by virtue of this Act into any dwelling house or houses, public or private buildings and premises for the purpose of cleansing and draining any such house or houses or other premises by means of such sewers or drains; and may do all such other Acts, matters and things as the said Minister shall from time to time deem proper for making, amending, repairing, completing or improving any such sewers and drains, or other works to be made, done and provided for the purpose of this Act.

SECTION 4. In the execution of the several powers hereby granted, the said Minister shall do as little damage as may be, and shall build and construct the said sewers in a sufficient and effectual manner for accomplishing all the purposes hereby intended and subject to the restrictions hereinafter mentioned; and after laying or removing or altering or repairing any such drains or sewers shall immediately fill in the trenches or excavations and make good the ground, soils, pavement of any such public or private street and other drainage and remove the rubbish occasioned thereby, and shall in the meantime fence or guard the place or places where any ground shall be opened in such manner as to prevent danger or accidents to passengers, carriages, horses, cattle or sheep, and agreeably in all respects to the provisions in this Act contained; and this Act shall be sufficient to indemnify the said Minister, and all persons acting under his authority, for all Acts and things done by virtue hereof.

SECTION 5. The cost of all works authorized by virtue of this Act shall be paid out of any moneys in the Treasury not otherwise appropriated, by and with the consent of the King in Privy Council, and the Minister of the Interior shall report to the next Legislature specifically the amount so expended, and the works upon which the expenditure was made.

SECTION 6. His Majesty in Privy Council as aforesaid shall determine what portion, if any, of such expenditure shall be borne by the owners of property in the city of Honolulu and its suburbs, and how and in what manner the same shall be repaid.

Approved this 14th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXIV.

AN ACT

TO AMEND SECTION 1 OF CHAPTER 89 OF THE PENAL CODE.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. That Section 1 of Chapter 89 of the Penal Code be and the same is hereby amended so as to read as follows :

“Section 1. No person shall receive, keep or store or cause to be received, kept or stored, or aid or assist any person in receiving, keeping or storing, or have at any one time on any premises owned, leased or occupied by him, except the storehouse provided therefor by the Government, more than one case of naphtha and one case of benzole, nor more than ten cases of petroleum, kerosene oil, or any oil of which the component part is petroleum, naphtha, or spirits of turpentine.”

SECTION 2. This Act shall become a law from and after the date of its approval, and all laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXV.

AN ACT

TO AUTHORIZE THE MINISTER OF THE INTERIOR TO GRANT LICENSES FOR THE IMPORTATION AND SALE OF POISONOUS DRUGS.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled :

SECTION 1. The Minister of the Interior may grant a license to any duly qualified physician or surgeon or to any other suitable person who may be recommended by the Board of Health, to import and sell poisonous drugs for the term of one year in the district of Honolulu upon receiving the sum of forty dollars, and in any other district upon receiving the sum of twenty dollars.

SECTION 2. No such license shall authorize the licensee to import, sell or furnish opium or any preparation thereof except on the prescription of a duly qualified physician.

SECTION 3. The Board of Health by its President may authorize any duly qualified physician or surgeon or any licensee under this Act to enter opium and preparations thereof at the Custom House on the payment of the duties thereon, anything in the Act approved on the 8th day of August, A. D. 1874. entitled "An Act to restrict the importation and

sale of opium and preparations thereof" to the contrary notwithstanding.

SECTION 4. Any person who shall import, sell, or furnish any poisonous drug without license, or contrary to the provisions of this Act, shall be fined not less than Fifty nor more than Five Hundred Dollars, or be imprisoned at hard labor not exceeding six months in the discretion of the Court. Nothing in this Act contained shall be construed to prevent the Government or the Board of Health from importing any drugs or medicines.

SECTION 5. Every license issued under the authority of this Act shall be signed by the Minister of the Interior, and impressed with the seal of his Department, and shall not be transferable.

SECTION 6. The provisions of Chapter 88 of the Penal Code shall apply to all persons holding licenses under this Act.

SECTION 7. This Act shall come into operation and become law on the first day of September next.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXVI.

AN ACT

TO PROVIDE A SPECIAL LICENSE FOR THE SALE OF SALMON.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:

SECTION 1. The Minister of the Interior shall give to every person applying therefor a license to sell salmon, at retail, for the term of one year. The price of the said license shall be twenty dollars.

SECTION 2. This Act shall not be construed to apply to salmon placed in stores for sale as merchandise from abroad, in accordance with the provisions of Section 57 of the Civil Code.

SECTION 3. This Act shall become a law from and after the date of its approval; and all laws and parts of laws in contravention herewith are repealed.

SECTION 4. Any person who shall contravene the provisions of this Act shall, for every offense, forfeit and pay a fine not exceeding fifty dollars.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXVII.

AN ACT

TO PROVIDE FOR A PERMANENT SETTLEMENT FOR HENRY S. SWINTON.

WHEREAS, Henry S. Swinton has been in the employ of this Government during the reigns of the late Kings Kamehameha III., Kamehameha IV., Kamehameha V., Lunalilo, and His Majesty Kalakaua; having during all that period maintained a character for honesty and reliability, and whereas he has become aged and enfeebled in the service of the Government; therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. That the sum of three hundred dollars per annum is hereby permanently settled upon Henry S. Swinton during his lifetime; and the Minister of Finance is hereby

directed to pay the same out of the public Treasury in like manner with other salaries and appropriations annually or by the month.

SECTION 2. The said Henry S. Swinton shall be entitled to draw upon the public Treasury for the pension provided for in Section 1, from and after the date of the passage of this Act.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXVIII.

AN ACT

TO PROVIDE FOR THE REGISTRATION OF CO-PARTNERSHIP FIRMS.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. Whenever any two or more persons shall carry on business in this Kingdom in Co-partnership, it shall be incumbent for such persons to file in the Office of the Minister of the Interior a statement of

1. The names and residences of each of the members of such Co-partnership.

2. The nature of the business of such Co-partnership.

3. The firm name of Co-partnership, and

4. The place or places of business of the Co-partnership.

SECTION 2. All persons who at the time of the commencement of this Act, shall be carrying on business in Co-partnership, shall within two months of the time of the commencement of this Act, cause such statement as aforesaid to be filed in the Office of the Minister of the Interior.

SECTION 3. Whenever any change shall take place in

the constitution of any such firm by the death or withdrawal of any member thereof, or by the addition of any member thereto, or by the dissolution thereof, a statement of such change or dissolution shall also be filed in the said Office of the Minister of the Interior, within one month from such change, death or dissolution as the case may be.

SECTION 4. All such statements as are required to be made by the preceding Sections shall also be published by the members of each Co-partnership at least twice in the Hawaiian and English languages, in two newspapers published in Honolulu.

SECTION 5. The Minister of the Interior shall cause a book to be kept in his office, in which shall be recorded the several particulars hereinbefore required to be filed in his office; and which book shall be open for public inspection on payment of a fee of twenty-five cents for each inspection.

SECTION 6. There shall be paid to the Minister of the Interior a fee of fifty cents for each name so recorded as aforesaid.

SECTION 7. The members of every copartnership who shall neglect or fail to comply with the provisions of this law, shall severally and individually be liable for all the debts and liabilities of the such co-partnership and may be severally sued therefor, without the necessity of joining the other members of the co-partnership in any action or suit, and shall also severally be liable upon conviction, to a penalty not exceeding five dollars for each and every day while such default shall continue; which penalties may be recovered in any Police or District Court. *

SECTION 8. Nothing in this Act contained shall be deemed or construed to apply to corporations or incorporated companies.

SECTION 9. All fees received by virtue of this Act shall be accounted for, as part of the revenue of the Hawaiian Government.

SECTION 10. This Act shall come into operation and become law on the 1st day of September next.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXIX.

AN ACT

TO REPEAL SECTION 924 OF THE CIVIL CODE.

WHEREAS, it is injurious to the public interest that one person should be appointed as Judge for two districts widely separated; therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That Section 924 of the Civil Code be and the same is hereby repealed. For judicial purposes, the provisions of Section 498 of the Civil Code, as amended by the Act approved on the 1st day of August, A. D. 1878, shall be observed.

SECTION 2. This Act shall become a law from and after the date of its publication.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXX.

AN ACT

TO AMEND SECTION 1009 OF THE CIVIL CODE.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That Section 1009 of the Civil Code be and the same is hereby amended so that said Section shall read as follows:

“Section 1009. Every defendant appealing from the decision of any Circuit Judge, Police Justice or District Justice in any criminal or penal prosecution shall remain in the custody of the Marshal or the Sheriff of the Island until the term of the Supreme or Circuit Court to which said defendant has appealed, unless he deposit with the Marshal or Sheriff a good and sufficient bond in a penal sum equal to the fine or penalty imposed upon such defendant in the Court below, conditioned for his appearance for trial at the Supreme or Circuit Court as aforesaid. And in all cases where the punishment adjudged by the Circuit Judge or Police or District Justice is both fine and imprisonment, or imprisonment only, the Marshal or Sheriff shall exact from the defendant a bond conditioned as aforesaid in the penal sum of not less than one hundred nor more than one thousand dollars.”

SECTION 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

SECTION 3. This Act shall take effect and become a law from and after the date of its approval.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXI.

AN ACT

TO AMEND SECTION 2 OF CHAPTER 41 OF THE PENAL CODE, HAWAIIAN VERSION, AS AMENDED BY AN ACT APPROVED ON THE THIRTIETH DAY OF JULY, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-EIGHT, BY MAKING THE SAME CONFORM TO THE ENGLISH VERSION.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That Section 2 of Chapter 41 of the Penal Code, Hawaiian version as amended by an Act approved on the thirtieth day of July, one thousand eight hundred and seventy-eight, be and the same is hereby amended to conform with the English version of the said Section, so that such Section as amended shall read as follows:

“Pauku 2. O ka mea hana i kekahi wai ikaika a me kekahi mea e ae e ona ai i mea kuai aku e hoouku ia no ia i na dala aole oi aku i elima haneri, a ina kaa ole ia uku, e hoopaahao ia oia ma ka hana oolea, aole e oi aku i na makahiki elua.”

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXII.

AN ACT

TO PROVIDE FOR THE CODIFICATION AND REVISION OF THE LAWS OF THE KINGDOM.

WHEREAS, the existing laws of the Kingdom are defective in many essential particulars, and from continual amendments

having been made therein are inconvenient of reference, and from various decisions having been made by the Supreme Court adopting in whole or in part the principles of the laws of other countries, the law has become doubtful ; and

WHEREAS, for the foregoing and other reasons, it is expedient that the laws should be codified and revised ; therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. That it shall be lawful for and His Majesty the King is hereby empowered to appoint three Commissioners whom His Majesty may deem competent for the purpose, to codify and revise the existing laws of the Kingdom including the laws passed during this present Session, adding notes and references to important decisions of Court, and to report the same to the next session of the Legislative Assembly.

SECTION 2. The sum of Five Thousand Dollars is hereby appropriated for the expense of preparing such Code, which sum the Minister of Finance is hereby authorized to pay to such Commissioners in such sums as may be deemed proper.

SECTION 3. This Act shall become a law from and after the date of its approval.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXIII.

AN ACT

TO PROVIDE FOR THE CORONATION OF THE KINGS OF HAWAII.

WHEREAS, it has been the custom from time immemorial to crown the Kings of Hawaii, and perpetuate the dignity of the Throne ; and

WHEREAS, the Constitution fails to provide for such an Act, and it is advisable that such a Coronation be provided for by the laws of this Kingdom ; therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. That His Majesty the King, in Privy Council, shall ascertain and proclaim by public proclamation a time when he shall be crowned, and he, in Privy Council may make such rules and regulations for such occasion as he shall deem proper, and all the expenses attending such event shall be paid for out of any moneys in the Treasury, not otherwise appropriated in the Appropriation Bill, provided they shall not exceed the sum of Ten Thousand Dollars.

SECTION 2. This Act shall become a law from the date of its passage.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXIV.

AN ACT

TO IMPOSE SPECIFIC DUTIES UPON RICE, PADDY AND RAW SUGARS IMPORTED INTO THIS KINGDOM.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled :

SECTION 1. There shall be levied, collected and paid, a duty of two and a half cents per pound upon all Rice imported into this Kingdom, and if the same be in the husk or what is commonly known as paddy, a duty of one and a half cents per pound; and a duty of two and a half cents per pound upon all raw sugars imported into this Kingdom.

SECTION 2. All laws and parts of laws inconsistent with the provisions of this Act are hereby repealed.

Approved on the 14th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXV.

AN ACT

TO AUTHORIZE THE ISSUANCE OF ROYAL PATENTS FOR SCHOOL LANDS AND SCHOOL SITES SOLD BY THE BOARD OF EDUCATION.

WHEREAS, by Section 1 of an Act entitled "An Act to provide for the better support and greater efficiency for the Public Schools," passed July 9th, A. D. 1850, it is enacted as follows, viz : "Section 1. That there shall be set apart certain lands amounting as nearly as can be ascertained without actual measurement to the One Twentieth part of

all the lands now belonging to the Government, not otherwise appropriated, for the general purposes of education."

AND WHEREAS, by Section 2 of the said Act it is enacted as follows: "Section 2. It shall be the duty of the Minister of Public Instruction in consultation with the Minister of the Interior to designate said lands which designation when approved by the Privy Council shall be valid."

AND WHEREAS, by Section 3 of the said Act, it is enacted as follows, viz: "Section 3. The Minister of Public Instruction shall be authorized to dispose of said lands for the purpose above mentioned, either by sale, lease, or otherwise, as in his judgment and that of the King's Cabinet, shall best subserve the interests of education on the Islands."

AND AGAIN, in Section 32 of an Act entitled "An Act to repeal Chapter 10 of the Civil Code, and to regulate the Bureau of Public Instruction," approved January 10th, A. D. 1865, it is enacted as follows, viz: "Section 32. The Board of Education is hereby authorized to dispose by sale, lease, or otherwise, of any of the lands which have been or hereafter may be set apart for the general purposes of education."

AND WHEREAS, in pursuance of the provisions of Sections 1 and 2 above recited, of the Act of July 9th, 1850, before mentioned, the Minister of Public Instruction in consultation with the Minister of the Interior, did designate and set apart for the general purposes of education, certain lands and school sites which, approved by the Privy Council on the 23rd day of December, A. D. 1850, in the following Resolution, viz: "*Resolved*, That in accordance with Section first of the late School Act, to provide for the better support and greater efficiency of the public schools, the following lands be, and are hereby appropriated for the general purposes of education on the Islands, to be disposed of as provided in said Act. And all lands now occupied by the Government Schools and known as having been appro-

priated to their use, either by individuals, chiefs, or by the Government;”

AND WHEREAS, owing to changes of population and of centres of industrial and agricultural pursuits throughout the country, it has become necessary in many cases to exchange the former original school sites for sites better adapted for present school purposes;

AND WHEREAS, many of the sites so exchanged are in localities where their use for the permanent improvement of contiguous property is essential, and the necessity for a perfect title to them, therefore apparent; therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:

SECTION 1. That the Board of Education shall be and is hereby authorized to make requisitions, in writing, on the Minister of the Interior for the issuance of Royal Patents to the said Board, or to such grantees as the said Board shall name in its requisitions for such school lands, school sites, or school reserves as it shall, from time to time, dispose of under the provisions of existing statutes relating thereto.

SECTION 2. Royal Patents signed by the King and countersigned by the Minister of the Interior, shall issue under the Great Seal of the Kingdom to the Board of Education or to such grantees as the said Board shall name in its requisitions on the Minister of the Interior for such school lands as it shall, from time to time, dispose of and as shall have been set apart and designated as such by the resolution of the Privy Council of December 23d, A. D. 1850, or by any subsequent Act or authority and also for all original school sites and school reserves as shall have been set apart and surveyed as such, and as shall have been approved by the Minister of Public Instruction and the Minister of the Interior, pursuant to the provisions of the School Act of July 9th, A. D. 1850,

before mentioned, or by any subsequent Act or authority relating thereto.

SECTION 3. This Act shall become law and take effect from and after the date of its approval.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXVI.

AN ACT

RELATING TO CORPORATIONS AND INCORPORATED COMPANIES ORGANIZED UNDER THE LAWS OF FOREIGN COUNTRIES AND CARRYING ON BUSINESS IN THIS KINGDOM.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:

SECTION 1. Every corporation or incorporated company, formed or organized under the laws of any foreign State, which may be desirous of carrying on business in this Kingdom and to take, hold and convey real estate therein, shall file in the office of the Minister of the Interior.

1. A certified copy of the charter or Act of incorporation of such corporation or company.

2. The names of the officers thereof.

3. The name of some person upon whom legal notices and process from the courts of this Kingdom may be served.

4. An annual statement of the assets and liabilities of the corporation or company in this Kingdom on the first day of July in each year.

5. A certified copy of the by-laws of such corporation or company.

SECTION 2. Every such corporation or incorporated company, on complying with the terms of this law, shall have the same powers and privileges and be subject to the same disabilities as are by law conferred on corporations constituted under the laws of this Kingdom, and shall, for the purposes for which they shall be constituted, have full power to hold, take and convey by way of sale, mortgage or otherwise, real, personal and mixed estate in this Kingdom. Provided always that the purposes for which such corporations or companies shall be constituted shall not be repugnant to, or in conflict with any law of this Kingdom.

SECTION 3. Any such foreign corporation or incorporated company now carrying on business in this Kingdom, shall, if desirous of availing itself of the provisions of this Act, file the aforesaid particulars with the Minister of the Interior, within four months from the coming into operation of this Act.

SECTION 4. There shall be paid to the Minister of the Interior for and on behalf of the Hawaiian Government, by every corporation or incorporated company, availing itself of the provisions of this Act, the sum of fifty dollars.

SECTION 5. This Act shall not be deemed or construed to effect or be at variance with the provisions of an Act approved on the thirtieth day of July, A. D. 1870, entitled "An Act to facilitate the service of process on Foreign Corporations." Provided, however, that any Foreign Corporation subject to the provisions of the said last mentioned Act which has failed to file the designation required by such Act, may do so within the period of four months from the time of the commencement of this Act, on payment to the Minister of the Interior for and on behalf of the Hawaiian Government, of the sum of ten dollars and thereupon such Foreign Corporation shall be deemed to all intents and purposes, to have fully complied with the provisions of the said Act.

SECTION 6. This Act shall take effect and become law on the first day of September next.

Approved this 9th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXVII.

AN ACT

TO PROVIDE FOR A NATIONAL COINAGE.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. It shall be lawful for the Minister of Finance, and he is hereby authorized to purchase gold and silver bullion with any moneys which may from time to time be in the Treasury, and to cause to be coined therefrom gold and silver coins of the values following, that is to say, gold coins of the value of twenty dollars, ten dollars, five dollars, and two dollars and fifty cents; and silver coins of the value of one dollar, fifty cents, twenty-five cents and twelve and one-half cents.

SECTION 2. All such coins shall be of equal weight and fineness with United States gold and silver coins of the same values, and shall bear such impress or devices thereon as His Majesty may from time to time approve.

Approved this 14th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXVIII.

AN ACT

FOR THE RELIEF OF THE SCHOOL AGENT OF THE DISTRICT OF
KAU, HAWAII.

WHEREAS, it appears by the report of the Board of Education as laid before this Assembly that the sum of \$1,700 or more belonging to school moneys in the possession of Hon. W. T. Martin, the School Agent, has become deficit;
AND WHEREAS, after due and careful investigation by this Assembly all the evidence as to the loss of said money, this House has voted to release the said School Agent and his bondsmen from responsibility entirely for the said sum or sums; therefore,

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled:

SECTION 1. Mr. W. T. Martin and his sureties are hereby released from all responsibility as to any moneys heretofore referred to in connection with the Board of Education.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XXXIX.

AN ACT

TO PREVENT FRAUDULENT EXPORTATION OF FOREIGN AS HAWAIIAN PRODUCE TO PORTS OF THE UNITED STATES.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands, in the Legislature of the Kingdom assembled :

SECTION 1. Every person who shall be in any way en-

gaged in fraudulently exporting or attempting to export to any port of the United States, produce of foreign growth or manufacture, especially rice and sugar, whether mixed with the Hawaiian article of the same name and character or in separate packages, shall on conviction, be subject to a fine not exceeding one thousand dollars, or imprisonment at hard labor not exceeding two years, in the discretion of the court, and all goods, wares and merchandise, especially the articles rice and sugar so exported or attempted to be exported shall be forfeited, and may be seized, condemned and sold for the benefit of the Hawaiian Government.

SECTION 2. In order to carry into effect the provisions of the preceding section, an officer skilled in distinguishing different growths of rice, to be called the "export guard," shall be appointed to examine all packages of that article destined for export. Any packages suspected by him to contain a mixed or spurious article and not entirely of Hawaiian growth and produce, shall be subjected to a careful examination, and on confirmation that the said rice is mixed or entirely of foreign growth and produce, the whole quantity of which said package or packages form a part shall be confiscated and its owners dealt with as provided in Section 1.

SECTION 3. The officer, so appointed shall be remunerated by a small fee, to be fixed by the Minister of Finance, to be paid by the exporter, and one-fourth of all sums realized from the confiscation of all attempted fraudulent exports.

SECTION 4. This Act shall take effect from and after the date of its approval.

Approved this 14th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XL.

AN ACT

TO AMEND SECTION 2 OF CHAPTER 46 OF AN ACT ENTITLED "AN ACT FOR THE PROTECTION OF PARTIES TO CONTRACTS, AUTHORIZED BY SECTION 1417 OF THE CIVIL CODE," APPROVED ON THE 25TH OF SEPTEMBER, A. D. 1876.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled :

SECTION 1. That Section 2 of the said Act be, and the same is hereby amended so as to read as follows :

"Section 2. In order to carry out the provisions of this Act the Minister of the Interior is hereby authorized to appoint an agent or agents in each elective district of this Kingdom, who shall have the power to take acknowledgments to the contracts authorized by Section 1417 of the Civil Code ; *provided, however*, that such agents shall be authorized to appoint a deputy during their temporary absence from their districts, and the deputy so appointed shall be empowered to perform all the duties of the said agents as prescribed by this Act ; and provided further that nothing herein contained, shall authorize the appointment of any judge or his deputy, or any store keeper to such agency."

SECTION 2. All laws or parts of laws in contravention herewith are hereby repealed.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XLI.

AN ACT

TO AMEND AN ACT ENTITLED "AN ACT TO PROMOTE THE CONSTRUCTION OF RAILWAYS," APPROVED AUGUST 1ST, A. D. 1878.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That Section 27 of Chapter 29 of the laws of 1878, being an Act entitled "An Act to promote the construction of Railways," approved August 1st, A. D. 1878, be and the same is hereby amended so as to read as follows :

"Section 27. And be it further enacted that the said Minister is hereby authorized to guarantee to any corporation that shall undertake any such railroad or railroads a subsidy of not more than two thousand five hundred dollars per mile of railroad actually constructed, equipped, and in complete running order, such completion to be evidenced by a certificate in writing of the Surveyor General, which certificate shall be filed in the office of said Minister."

SECTION 2. That Section 28 of said Chapter 29 be and the same is hereby amended so as to read as follows :

"Section 28. And be it further enacted that the Minister of Finance is hereby authorized and required to pay on the certificate of the Minister of the Interior, to the corporation or corporations in this Act contemplated such sums of money as may be ascertained to be due by virtue and authority of the preceding section, but not in any case to exceed two thousand five hundred dollars per mile of railroad constructed, out of any moneys which may at the time be in the Public Treasury not otherwise appropriated. Provided that should such moneys available not be sufficient at any time to meet

such demand or demands, the said Minister of Finance, by and with the consent of the King, may issue in lieu of money bonds or other evidence of indebtedness, which shall bear interest at the rate of seven per cent. per annum until paid."

SECTION 3. That Section 29 of said Chapter 29 be and the same is hereby repealed.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XLII.

AN ACT

TO PROTECT GOVERNMENT LANDS AT THE SOURCE OF ALL STREAMS FROM TRESPASS, LYING MAUKA OF BERETANIA STREET IN THE CITY OF HONOLULU, AND BEING BETWEEN THE WESTERN SLOPE OF KALIHI VALLEY AND THE EASTERN SLOPE OF PALOLO VALLEY, IN THE DISTRICT OF KONA, ISLAND OF OAHU.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. If any horse, mule, ass, hog, goat, sheep or neat cattle shall trespass upon any of the Government lands at the source of the streams, and upon which are the sources of the water which supply the reservoirs now erected or hereafter to be erected for furnishing water to Honolulu, the owner of such animal or animals shall forfeit and pay for the use and benefit of the Hawaiian Government the sum of one dollar per head, excepting sheep and goats, for which they shall pay fifty cents per head. And if any trees or plants growing upon said lands be injured or destroyed, or the grass be uprooted and damaged by such animal or animals, the owner or owners thereof shall pay for the use and benefit of the Ha-

waiian Government the full amount of any such damage, to be recovered before the Police Court in Honolulu, if the amount claimed shall not exceed five hundred dollars.

SECTION 2. And be it further enacted, that the agent or luna appointed by the Minister of the Interior to take charge of said Government lands, shall be and is hereby authorized to sue for and recover such damages in his own name to the use and benefit of the Hawaiian Government.

SECTION 3. And be it further enacted that all such damages recovered shall be applied by the Minister of the Interior for the purpose of protecting said Government lands and guarding the same against trespass.

SECTION 4. And be it further enacted that if the owner or owners of such animal or animals neglect or refuse to pay for such trespass after demand made by such agent, and said animal or animals shall be taken to the Government Pounds, then all subsequent proceedings relative thereto shall be regulated by the general law on the subject in the Civil Code, from Section 241 to 250 inclusive.

SECTION 5. This Act shall take effect and be in force from and after its passage.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XLIII.

AN ACT

TO MAKE FURTHER AND BETTER PROVISIONS FOR THE PROTECTION OF THE PUBLIC IN THE DISTRICT OF HONOLULU.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. No dray used for the carriage of goods or

freight of any description within the district of Honolulu shall, whether laden or unladen, be driven at a faster pace than a walk.

SECTION 2. The driver of every vehicle which shall be driven after dark within the said district of Honolulu, shall cause a sufficient light or lights to be kept burning on every such vehicle during the hours of darkness.

SECTION 3. Any person violating the provisions of this Act shall on conviction before the Police Justice of Honolulu, be fined in a sum not exceeding ten dollars for every such offense.

Approved on the 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XLIV.

AN ACT

TO FURTHER EXTEND THE TERM OF THE COMMISSION OF
BOUNDARIES.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled:

SECTION 1. That the term of the continuance of the Commission of Boundaries established by an Act approved on the twenty-third day of August, One Thousand Eight Hundred and Sixty-Two, and extended to the twenty-third day of August, One Thousand Eight Hundred and Seventy-Four, by an Act approved on the twenty-second day of June, One Thousand Eight Hundred and Sixty-Eight, and extended to the twenty-third day of August, One Thousand Eight Hundred and Eighty, by an Act approved on the thirteenth day of

July, One Thousand Eight Hundred and Seventy-Four, be and the same is hereby extended to the twenty-third day of August, One Thousand Eight Hundred and Eighty-Six, for the purpose of deciding and certifying the Boundaries of Ahupuaas and portions of Ahupuaas, Ilis and portions of Ilis and other denominations of lands upon application now pending before the several Commissioners of Boundaries, and upon such application as may hereafter be made under the provisions of Section 9 of the said Act of the twenty-second day of June, One Thousand Eight Hundred and Sixty-Eight.

Approved this 13th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XLV.

AN ACT

TO AMEND SECTIONS 331, 333, 337, 338 AND 339 OF THE CIVIL CODE OF THE FIRE DEPARTMENT OF HONOLULU.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled :

SECTION 1. That Section 331 is hereby amended so that the section as amended shall read as follows :

“Section 331. There shall be a Fire Department for the City of Honolulu, which shall consist of a Chief Engineer, two Assistant Engineers, One Fire Marshal and as many firemen as may be approved by the representatives of the Department chosen according to its by-laws.”

SECTION 2. That Section 333 of the said Code be and the same is hereby amended by striking out in the first line the words “four fire wardens” and inserting in the place thereof the words “Fire Marshal,” so that the section as amended shall read as follows :

“Section 333. The Fire Marshal shall be elected annually by the Representatives of the Department.”

SECTION 3. That Section 337 of the said Code be and the same is hereby amended so that the section as amended shall read as follows :

“Section 337. The Fire Marshal shall divide the City of Honolulu into four districts, and report their boundaries to the Chief Engineer for the purpose of making the visitations and examinations provided for in the next section ; and he shall keep a record of the names of the occupants of the houses or other buildings when he shall observe any violations of the provisions of this law.”

SECTION 4. That Section 338 of the said Code be and the same is hereby amended by striking out in the first line the words “Fire Wardens,” and inserting in the place, the words “Fire Marshal,” so that the section as amended shall read as follows :

“Section 338. It shall be the duty of the Fire Marshal twice in every year, and as much oftener as he may deem proper, to examine the dwelling houses and other buildings in the respective districts for the purpose of ascertaining any violations of this law ; and also to examine the fire places, hearths, chimneys, stoves and stove-pipes in the respective districts, and upon finding any of them defective or dangerous, he shall direct the owner or occupants by written notice, to alter, remove or amend the same ; and in case of neglect so to do, the party offending on conviction, shall forfeit and pay twenty-five dollars for the benefit of the Fire Department, and for every day of the times allotted for such alteration, removal or amendment, the party so offending shall forfeit and pay the further sum of ten dollars, and the Fire Marshal may make such alteration, removal or amendment at the expense of said owner or occupant.”

SECTION 5. That Section 339 of the said Code be and the

same is hereby amended, so that the section as amended shall read as follows:

“Section 339. It shall be the duty of the Fire Marshal to prosecute all persons guilty of a violation of any of the provisions of this law, before the Police Court of Honolulu, and he shall pay over all fines collected to the Treasurer of the Fire Department, deducting 20 per cent. of such fines for his services.”

SECTION 6. This Act shall become a law from and after the date of its passage, and all laws and parts of laws in contravention herewith are hereby repealed.

Approved on the 14th day of August, A. D. 1880.

KALAKAUA R.

CHAPTER XLVI.

AN ACT

MAKING SPECIFIC APPROPRIATIONS FOR THE USE OF THE GOVERNMENT DURING THE TWO YEARS WHICH WILL END WITH THE 31ST DAY OF MARCH, IN THE YEAR ONE THOUSAND EIGHT HUNDRED AND EIGHTY-TWO.

Be it Enacted by the King and the Legislative Assembly of the Hawaiian Islands in the Legislature of the Kingdom assembled :

SECTION 1. The following sums, amounting to Two Million One Hundred and Ninety-Six Thousand and Six Dollars and Seventy-Five Cents, are hereby appropriated out of any money in the Treasury for the service of the Biennial Fiscal Period, commencing with April 1st, 1880, and ending with March 31st, 1882.

CIVIL LIST.

His Majesty's Privy Purse and Royal State.....	\$45,000 00
Her Majesty the Queen.....	10,000 00
Her Royal Highness the Heir Presumptive.....	10,000 00
Her Royal Highness the Princess Likelike, provided she re- signs the office of Governess of Hawaii.....	8,000 00
His Majesty's Chamberlain and Secretary.....	5,000 00
His Majesty's Household Expenses.....	16,000 00
Expenses of His Majesty's Coronation.....	10,000 00
	\$104,000 00

PERMANENT SETTLEMENTS.

Her Majesty Queen Emma.....	\$16,000 00
His Excellency P. Kanoa.....	2,400 00
Methusela Mahuka.....	600 00
Henry S. Swinton.....	600 00
	\$19,600 00

LEGISLATURE AND PRIVY COUNCIL.

Expenses of Legislature, 1880.....	\$20,000 00
Secretary Privy Council.....	200 00
Incidentals Privy Council.....	100 00
	\$20,300 00

JUDICIARY DEPARTMENT.

Salary of Chief Justice and Chancellor.....	\$12,000 00
Salary of First Associate.....	10,000 00
Salary of Second Associate.....	10,000 00
Salary of Clerk Supreme Court	5,000 00
Salary of Assistant Clerk and Librarian.....	3,800 00
Salary of Interpreter Supreme and Police Courts.....	3,600 00
Salary of Circuit Judge, 2nd Judicial Circuit.....	4,000 00
Traveling Expenses of do.....	200 00
Salary of Circuit Judges, 3rd Judicial Circuit.....	4,000 00
Salary of Circuit Judge of Kauai.....	3,000 00
Salary of Police Justice of Honolulu.....	4,800 00
Salary of Police Justice of Hilo.....	2,000 00
Salary of Police Justice of Lahaina.....	1,600 00
Salary of Police Justice of Wailuku	2,000 00
Salary of District Judge, North Hilo.....	800 00
Salary of District Judge, Puna, Hawaii.....	800 00

Judiciary Department, continued—

Salary of District Judge, Kau, Hawaii.....	\$ 1,000 00
Salary of District Judge, North Kona, Hawaii.....	600 00
Salary of District Judge, South Kona, Hawaii.....	600 00

If there is only one Judge for the two above named districts of North and South Kona, then \$1,000.

Salary of District Judge, North Kohala, Hawaii.....	1,000 00
Salary of District Judge, South Kohala, Hawaii.....	800 00
Salary of District Judge, Hamakua, Hawaii.....	800 00
Balance of salary of ditto due and unpaid on last biennial fiscal period.....	300 00
Salary of District Judge, Honuaula, Maui.....	600 00
Salary of District Judge, Makawao, Maui.....	1,000 00
Salary of District Judge, Hana and Kaupo, Maui.....	800 00
Salary of District Judge, Island of Lanai.....	600 00
Salary of District Judge, Molokai.....	800 00
Traveling expenses of ditto.....	50 00
Salary of District Judge, Ewa and Waianae, Oahu.....	800 00
Salary of District Judge, Waialua, Oahu.....	600 00
Salary of District Judge, Koolauloa, Oahu.....	600 00

If there is only one Judge for the two above named districts of Waialua and Koolauloa, then \$900.

Salary of District Judge, Koolaupoko, Oahu.....	1,000 00
Salary of District Judge, Hanalei, Kauai.....	800 00
Salary of District Judge, Kawaihau, Kauai.....	800 00
Salary of District Judge, Lihue, Kauai.....	800 00
Salary of District Judge, Koloa, Kauai.....	800 00
Salary of District Judge, Waimea, Kauai.....	800 00
Salary of Clerk 2nd Judicial Circuit.....	400 00
Salary of First Clerk 3rd Judicial Circuit.....	300 00
Salary of Second Clerk 3rd Judicial Circuit.....	300 00
Balance of salary of ditto due and unpaid on last biennial fiscal period.....	37 50
Salary of Clerk 4th Judicial Circuit.....	300 00
Expenses of Supreme Court.....	2,300 00
Expenses of witnesses in criminal cases in the Supreme and Circuit Courts, to be allowed by the presiding Judge at his discretion.....	300 00
Expenses of 2nd Judicial Circuit.....	1,800 00
Expenses of 3rd Judicial Circuit.....	1,800 00
Expenses of 4th Judicial Circuit.....	800 00
Purchase of Law Books.....	500 00

Judiciary Department, continued—

Stationery and Incidentals for all the Courts, inclusive of printing and postage.....	\$ 1,200 00
Translating, printing and binding the Hawaiian Reports.....	3,000 00
	\$96,587 50

DEPARTMENT OF FOREIGN AFFAIRS.

Salary of Minister.....	\$12,000 00
Salary of Secretary.....	5,000 00
Office expenses, Foreign Agents.....	3,100 00
Postage and Incidentals.....	2,000 00
Expenses of Foreign Missions.....	6,000 00
Salary of Minister Resident at Washington.....	10,000 00
Relief and return of indigent Hawaiians from abroad.....	1,500 00
Salary of Messenger.....	600 00
Salary of Copying Clerk.....	600 00
Purchase of Decorations.....	1,500 00
Education of Hawaiian Youths in Foreign Countries, to be expended in the actual education of the youths, and not traveling and sight seeing.....	15,000 00
Safe for Foreign Office Department.....	500 00
King's Guards.....	31,847 35
Band, Flags, Salutes and Incidentals.....	31,452 65
Aid to Volunteer Military Companies.....	12,000 00
	\$133,100 00

INTERIOR DEPARTMENT.

Salary of Minister.....	\$12,000 00
Salary of Clerks.....	13,400 00
Salary of Governor of Oahu.....	3,600 00
Salary of Governor of Maui.....	3,600 00
Salary of Governor of Kauai.....	3,600 00
Salary of Governess of Hawaii.....	3,600 00
Salary of Clerk, Governor of Oahu.....	800 00
Salary of Clerk, Governor of Maui	1,600 00
Salary of Clerk, Governor of Kauai.....	1,000 00
Salary of Clerk, Governess of Hawaii.....	1,600 00
Salary of Jailor of Oahu Prison.....	3,600 00
Salary of Water Superintendent and Clerk of Market.....	3,000 00
Market at Lahaina.....	2,000 00
Market at Wailuku	2,000 00

Interior Department, continued—

Market at Hilo.....	\$ 2,000 00
Salary of Road Supervisor District of Kona, Oahu.....	2,400 00
Salary of Superintendent of Public Works.....	6,000 00
Salary of Clerk to Superintendent of Water Works and Clerk of Market.....	2,000 00
Salary of Postmaster General.....	5,000 00
Salary of Clerks Post Office.....	10,000 00
Pay of Postmasters.....	5,000 00
Pay of Mail Carriers.....	15,100 00
Incidentals Post Office.....	5,000 00
Telephone Station.....	1,300 00
Pay of Road Supervisors.....	8,000 00
Pay of Keeper Royal Mausoleum.....	600 00
Expenses of Royal Mausoleum.....	250 00
Pay of Keeper of Lunalilo Mausoleum.....	400 00
Balance due Keeper of Lunalilo's Tomb.....	133 00
Pay of Janitor Aliiolani Hale and Messengers Interior De- partment.	1,875 00
Incidentals Interior Department.....	2,000 00
Copying Records Land Commission to entirely complete this work.....	3,900 00
Purchase of Road Stock.....	2,000 00
Road Damages.....	8,000 00

ROADS AND BRIDGES THROUGHOUT THE KINGDOM, VIZ :

OAHU—Honolulu	25,000 00
Other Districts.....	10,000 00
Kalihi Road	2,000 00
MAUI—Lahaina and Wailuku.....	10,000 00
Other Districts.....	25,000 00
HAWAII—Kohala	10,000 00
Kawaihae to Hamakua.....	7,500 00
Hamakua.....	10,000 00
Hilo	12,000 00
Puna.....	3,000 00
Volcano Road.....	10,000 00
Kau	7,500 00
North Kona	5,000 00
South Kona.....	5,000 00
MOLOKAI.....	5,000 00

Interior Department, continued—

LANAI.....	\$ 2,000 00
KAUAI	15,000 00
Contingent	11,000 00
	————— 175,000 00
Leper Settlement.....	85,000 00
For the cure of lepers to be paid at the rate of \$200 for each leper cured.....	20,000 00
Medical Superintendent Leper Settlement, for services ren- dered.....	1,000 00
Resident Physicians.....	26,000 00
General Expenses Board of Health.....	20,000 00
Branch Hospitals.....	40,000 00
Repairs and care of Quarantine Buildings.....	2,500 00
Store House at Kahului.....	2,000 00
Insane Asylum, including repairs	15,000 00
Aid to Queen's Hospital.....	21,000 00
Government Survey.....	40,000 00
Government Printing.....	3,000 00
Printing and binding index of Kuleanas of the Kingdom.....	1,000 00
Codifying, printing and binding the laws of the Kingdom in English and Hawaiian.....	5,000 00
Support of Prisoners.....	45,000 00
Honolulu Fire Department.....	15,092 00
Interpreting and translating.....	300 00
Expenses of Bureau of Water Works.....	4,000 00
Repairs of and addition to Water Works.....	64,000 00
Repairs and running expenses of tug Pele.....	15,000 00
Anchors, buoys and landings.....	18,000 00
Landing at Kawela, Hamakua, Hawaii.....	3,000 00
Dredging Honolulu Harbor.....	5,000 00
Repairs of wharves, Honolulu.....	15,000 00
Repairs and running expenses of the several lighthouses.....	7,500 00
New lighthouse west of Molokai.....	2,500 00
New lighthouse Barber's point.....	2,500 00
Repairs of, and new Government Buildings	34,000 00
Completion of, and furnishing new Palace	80,000 00
Pedestal and incidentals for Kamehameha Statue and rail- ing round same.....	2,000 00
Encouragement of Immigration.....	100,000 00
Cutting down and making road over Nuuanu Pali.....	30,000 00
Marine railway for Honolulu.....	100,000 00

Interior Department, continued—

Artesian well boring.....	\$ 10,000 00
Improvement of Kapiolani Park..	5,000 00
Improvement of Thomas Square.....	2,500 00
Government Library.....	500 00
Rent of lot in front of Aliiolani Hale to March 31st, 1882.....	200 00
Rent of Aienui.....	720 00
Back rent of Kohololoa Pound.....	650 00
Rent Kohololoa Pound two years to March 31st 1882.....	400 00
Expenses under Act for filing Certificates of Boundaries in the Interior Office.....	200 00
Expenses of election.....	500 00
Erection of Laundries to be leased under the Board of Health	7,500 00
Road tax to be expended in the District where collected, es- timated.....	70,000 00
	\$1,233,920 00

DEPARTMENT OF FINANCE.

Salary of Minister.....	\$12,000 00
Salary of Registrar of Public Accounts.....	6,000 00
Salary of Collector General.....	7,000 00
Salary of Deputy Collector.....	4,000 00
Salary of Statistical Clerk.....	3,600 00
Salary of 2nd Statistical Clerk.....	2,400 00
Salary of Surveyor and Guard.....	3,000 00
Salary of Storekeeper.....	3,000 00
Salary of Assistant Guards of Honolulu and other ports.....	8,000 00
Salary of Collector of Kawaihae.....	300 00
Salary of Collector of Kahului.....	2,000 00
Salary of Port Surveyor and Guard for Kahului.....	1,600 00
Salary of Collector of Kealahakua.....	100 00
Salary of Collector of Koloa.....	200 00
Salary of keeper of Steamer Warehouse.....	1,200 00
Salary of keeper of Kerosene Warehouse.....	480 00
Salary of Messenger.....	600 00
Incidentals of Custom House.....	2,500 00
Custom House Boat.....	1,000 00
Pay of Tax Assessors.....	20,000 00
Pay of Tax Collectors.....	18,000 00
Pay of Tax Appeal Board.....	1,000 00
National Debt falling due.....	89,700 00

Department of Finance, continued—

Interest on National Debt.....	\$ 78,000 00
Hospital Fund (estimated Receipts).....	12,000 00
Incidentals of Finance Department.....	2,000 00
Printing and supplying of Certificates of Deposit.....	1,500 00
Stamps and Dies.....	1,000 00
Safe for Finance Department.....	2,250 00
Dog Tags	600 00
Subsidy to Foreign Steam lines.....	24,000 00
Subsidy to China Merchants' Steam Navigation Co's line...	24,000 00

RETURN OF DOUBLE TAXES, VIZ :

To Makini.....	\$5 00
To Kekio.....	5 00
To Waahila	3 00
To Keoni Pamawaho, otherwise Keoni Kapela.....	5 00
To Makeokeo.....	5 25
	23 25
To D. Keaweamahi, balance of salary while teacher at the Reformatory School.....	226 00
	\$333,279 25

DEPARTMENT OF ATTORNEY GENERAL.

Salary of Attorney General	\$12,000 00
Salary of Clerk of Attorney General.....	4,000 00
Salary of Marshal.....	7,000 00
Salary of Sheriff of Hawaii	5,000 00
Salary of Sheriff of Maui.....	5,000 00
Salary of Sheriff of Kauai.....	3,000 00
Salary of Clerk of Sheriff of Hawaii.....	1,200 00
Salary of Clerk of Sheriff of Maui.....	1,200 00
Police of Hawaii.....	28,000 00
Police of Maui	18,000 00
Police of Oahu.....	70,000 00
Police of Kauai.....	7,200 00
Apprehension of Criminals.....	2,000 00
Incidentals of Department.....	2,000 00
Expenses of Coroners' Inquests.....	600 00
	\$166,200 00

BUREAU OF PUBLIC INSTRUCTION.

Salary of Inspector General.....	\$ 5,000 00
Traveling Expenses of ditto.....	1,000 00
Salary of Clerk of Board of Education.....	5,000 00
Support of Hawaiian and English Schools	45,000 00
Support of Common Schools.....	12,000 00
Industrial and Reformatory Schools, to include instruction in instrumental music and cost of instruments.....	10,500 00
Building and Repairs of School Houses.....	5,000 00
Scholarships at Oahu College for native Hawaiian boys only	720 00
Publishing the book "Sanitary Instructions for Hawaiians" for free distribution.....	3,000 00
National Museum.....	500 00
Stationery and Incidentals.....	700 00
Salary of Messenger.....	600 00
	\$89,020 00

RECAPITULATION.

Civil List.....	\$104,000 00
Permanent Settlements.....	19,600 00
Legislature and Privy Council.....	20,300 00
Judiciary Department.....	96,587 50
Department of Foreign Affairs.....	133,100 00
Department of Interior.....	1,233,920 00
Department of Finance.....	333,279 25
Department of Attorney General.....	166,200 00
Bureau of Public Instruction.....	89,020 00
	\$2,196,006 75

SECTION 2. The Minister of Finance shall credit the appropriations of the last biennial fiscal period all the amounts appropriated by the Act approved on the 5th day of August, A. D. 1878, and remaining unexpended on the 31st day of March, A. D. 1880, not otherwise re-appropriated, and such amounts shall be deemed no longer available for the objects for which they were originally appropriated.

SECTION 3. The Minister of Finance shall continue to pay the salaries appropriated by this Act, the compensation of soldiers and constables, the compensation of school teachers

and the current expenses of the Bureau of Education, the Board of Health, the expenses of the Fire Department, of the Supreme and Circuit Courts, Government Stocks and the interest accruing thereon, the support of prisoners and the expenses of the leper settlements, until the 30th day of June, A. D. 1882, unless new appropriations are made before that date.

SECTION 4. The Minister of Finance shall not cause or allow to be paid from the Treasury any money for objects not provided by this law.

SECTION 5. It shall be lawful for Heads of Departments, in cases where special appropriations may fall short, to apply to the same the surplus of other special appropriations in the same Department not required to be expended, so as to make up the deficiency; each Head of Department duly accounting to the Legislature for such transfer.

SECTION 6. No person holding more than one office for which salaries are provided shall be authorized to draw for more than the salary of the highest grade of office held by him, if the salary of any office held by him shall amount to two thousand dollars or more per annum, and he shall be entitled to no other or further compensation.

SECTION 7. This Act shall take effect from and after the date of its approval.

Approved this 30th day of July, A. D. 1880.

KALAKAUA R.

SESSION LAWS, 1880.

PAGE

An Act to repeal an Act approved on the 31st day of December, A. D. 1864, entitled "An Act for preventing collisions at sea," and to make other provisions in lieu thereof.....	3
An Act to amend Chapter 39 of the Session Laws of 1874, being an Act entitled "An Act to abolish the office of Secretary at War and the Navy,"...	12
An Act to provide for the Sanitary Condition of Dwelling Houses	13
An Act to fix the compensation of Pilots at the ports of Kahului, Maui, and Hilo, Hawaii.....	14
An Act to indemnify the Minister of Finance.....	15
An Act to amend Section 1 of Chapter 45 of the Session Laws of 1876, relating to Section 1420 of the Civil Code as amended.....	16
An Act to Perpetuate the Genealogy of the Chiefs of Hawaii.....	16
An Act relating to Laundries and Wash Houses.....	18
An Act to amend Section 237 of the Civil Code, and to amend the Act approved on the 4th day of August, 1874.....	19
An Act to increase the Jurisdiction of District Justices in cases of Serious Assault.....	20
An Act to amend Section 498 of the Civil Code.....	21

	PAGE
An Act to repeal Sections 118 and 119 of the Civil Code as amended by an Act approved on the 22d day of June, 1868, entitled "An Act to amend Sections 118, 119 and 120, and to repeal Section 121 of the Civil Code,".....	22
An Act to amend an Act entitled "An Act Regulating the Practice of Law in the Police and District Courts," approved on the 5th day of August, 1878.....	23
An Act to Encourage Steam Navigation between Honolulu and San Francisco.....	24
An Act to License the Slaughter and Sale of Pork.....	25
An Act to provide for the Safe Custody of Wills and Testamentary Papers.....	26
An Act to amend Section 264 of the Civil Code, relating to the appointment of Deputy Sheriffs in all districts of the Kingdom.....	27
An Act to amend Sections 1 and 3 of an Act, being Chapter 56 of the Session Laws of the year 1874, entitled "An Act to Restrict the Importation and Sale of Opium," as amended by an Act approved on the 29th day of September, 1876.....	28
An Act Relating to the Practice of Medicine by Chinese Physicians.....	29
An Act to provide for the Licensing of Keepers of Livery Stables within the District of Honolulu.....	30
An Act to amend an Act approved on the 23d day of May, 1868, entitled "An Act to Regulate Contracts between Masters and Servants,".....	31

	PAGE
An Act to amend Chapter 27 of the Session Laws of the year 1878, being an Act entitled "An Act to Regulate the Carrying of Passengers and Freight and the Letting to Hire of carriages, wagons, carts and drays, and other vehicles in the district of Honolulu,".....	32
An Act to provide for the Drainage and Sewerage of the City of Honolulu.....	33
An Act to amend Section 1 of Chapter 89 of the Penal Code.....	35
An Act to authorize the Minister of the Interior to grant Licenses for the Importation and Sale of Poisonous Drugs.....	36
An Act to provide a Special License for the Sale of Salmon.....	37
An Act to provide a Permanent Settlement for Henry S. Swinton.....	38
An Act to provide for the registration of Co-partnership Firms.....	39
An Act to repeal Section 924 of the Civil Code.....	41
An Act to amend Section 1,009 of the Civil Code.....	42
An Act to amend Section 2, of Chapter 41, of the Penal Code, Hawaiian version, as amended by an Act approved on the 30th day of July, 1878, by making the same conform to the English version..	43
An Act to provide for the Classification and Revision of the Laws of the Kingdom.....	43
An Act to provide for the Coronation of The Kings of Hawaii.....	45

	PAGE
An Act to impose Special Duties on Rice, Paddy, and Raw Sugars imported into this Kingdom.....	46
An Act to authorize the issuance of Royal Patents for School Lands, and School Sites, sold by the Board of Education.....	46
An Act relating to Corporations and Incorporated Companies, organized under the Laws of Foreign Countries, and carrying on business in this Kingdom.....	49
An Act to provide for a National Coinage.....	51
An Act for the Relief of the School Agent of the District of Kau, Hawaii.....	52
An Act to prevent Fraudulent Exportation of Foreign, as Hawaiian, produce, to ports of the United States.....	52
An Act to amend Section 2 of Chapter 46, of an Act entitled "An Act for the protection of parties to Contracts, authorized by Section 1,417 of the Civil Code," approved on the 25th of September, 1875.....	54
An Act to amend an Act entitled "An Act to promote the Construction of Railways," approved August 1st, A. D., 1878.....	56
An Act to protect Government Lands, at the source of all Streams, from Trespass, lying mauka of Bere-tania Street, in the City of Honolulu, and being between the western slope of Kalihi valley, and the eastern slope of Palolo valley, in the District of Kona, Island of Oahu.....	56
An Act to make further and better provisions for the protection of the Public in the District of Honolulu.....	57

	PAGE
An Act to further extend the term of the Commission of Boundaries	58
An Act to amend Sections 331, 333, 337, 338 and 339 of the Civil Code, of the Fire Department of Hono- lulu.....	59
An Act making specific Appropriations for the use of the Government during the two years which will end with the 31st day of March, in the year 1882.....	61

INDEX.

	PAGE.
Act, respecting Collisions at Sea, repealed.....	4
Act, New, revised and re-enacted.....	4
Amendment Section 1, Chap. 45, Laws of 1876.....	16
Auction, Estrays to be sold at.....	20
Amendment Section 1, Chap. 89, Penal Code.....	35
Blasts, by Steamships on Survey.....	10
Band, Minister of Foreign Affairs to draw for from Government Treasury.....	12
Board of Genealogy of Hawaiian Chiefs, appointment of	17
Board of Health.....	18
Board of Health, or its Agents, to have free access to Houses.....	14
Board of Health, to have supervision of Laundries.....	18
Board of Health, Opium, or preparation thereof, to furnish	29
Board of Health, to issue License to practice Medicine...	29
Board of Health, to demand Certificate from Chinese Consul, etc.....	30
Benzole, quantity to be kept in Store.....	35
Board of Health, to authorize Physician and Surgeon to inspect and sell Poisonous Drugs.....	36
Board of Health, to authorize duly qualified Physician or Surgeon to enter Opium, etc.....	36
Board of Health, may inspect any Drugs or Medicines...	37
Collisions at Sea, regulations in regard to.....	4
Collector General of Customs, to deliver two copies of Rules and Regulations, as above, to all masters of Hawaiian vessels applying for the same.....	4

	PAGE.
Compass, the ten points of which.....	5
Course, of Ships, to starboard or port.....	10
Consequences of neglect of owner, master or crew.....	11
Convoys, special lights for.....	11
Chapter 39, Session Laws 1874, abolished.....	12
Condition of Dwelling Houses, the Sanitary condition of	13
Contract Laborers, Houses occupied by.....	13
Closet, to be kept in repair for every six Adults.....	13
Compensation of Pilots at Kahului and Hilo.....	14
Civil Code, Section 1,420, as amended.....	16
Chiefs of Hawaii, Act to perpetuate the Genealogy of....	16
Constitution, Article 22 of.....	17
City of Honolulu, its Limits.....	19
Civil Code, Act amending Section 237.....	19
Civil Code, Act amending Section 498.....	21
Civil Code, Act repealing Sections 118 and 119.....	22
Custody of Wills and Testamentary Papers, Act to provide for.....	26
Circuit Judge, duty of, in regard to Wills and Testamentary Papers.....	27
Civil Code, Section 264 amended.....	27
Chinese Physicians, practice of Medicine by.....	29
Chinese Consul, Certificate from, to be produced by Chinese Physician.....	30
Contracts between Masters and Servants, amending the Act relating thereto.....	31
City of Honolulu, Act providing for the Drainage and Sewerage of the same.....	33
Chapter 89, of the Penal Code, Act to amend.....	35
Chapter 88, Penal Code, provisions of same to apply to all persons holding licenses for sale of Poisonous Drugs.....	36
Co-partnership Firms, Act relating to Registration of....	39
Corporations, rules in regard to.....	49-50

	PAGE.
Coinage, of Gold and Silver, authorized.....	51
Commission of Boundaries, extended.....	58
Coronation of Kings, provided for.....	45
Duty on Rice, etc.....	46
Dwelling houses, Sanitary Rules as to.....	14
District Justices, Jurisdiction of Increased.....	21
Districts, of the several Islands.....	22
Deputy Sheriffs, Appointment of.....	27
Drays, Rules for driving.....	58
Drugs, Importation of Poisonous.....	57
Damages, Trespassing on Government Lands.....	57
Exportation, Fraudulent, of Produce, how Punished.....	53
Finance, Minister of, Indemnified.....	15
Foreign Affairs, Minister of, to draw Appropriation for Military.....	12
Fine, on Laundries in the City of Honolulu.....	19
Fine, for possession of Opium, etc.....	29
Fine, for Importation of Opium, etc.....	28
Fine, for Unlicensed Keepers of Livery Stables.....	31
Fire Marshal, duties of.....	60-61
Fee, for "Export Guard.".....	33
H. S. Swinton, Permanent Settlement.....	39
Hawaiian version Chapter 41, Penal Code, Conformed to English.....	43
Interior, Minister of, to pay Board of Genealogy.....	17
“ “ to Erect Laundries.....	18
“ “ to provide Poundmasters with Printed Notices.....	20
“ “ to Contract for a Steam Line to San Francisco.....	24-25
“ “ to grant Liceuses for Slaughter and Sale of Pork.....	26

	PAGE
Interior, Minister of, may License Chinese Physicians...	29
“ “ may License Livery Stables.....	30
“ “ to cause Surveys of the area of Honolulu and Suburbs.....	33
“ “ may issue License for the Importation of Poisonous Drugs.....	36
“ “ shall give License to sell Salmon at Retail.....	37
“ “ to keep a Record Book of Co-partnership Firms.....	40
“ “ to appoint Agents to take Acknowledgements to Contracts.....	54
“ “ to appoint Agents to have charge of Government Lands.....	57
Lights on Sailing and Steam vessels.....	5-6-7-8
Lodging Houses, Rules as to.....	13
License, to practice Law, in Lower Courts.....	23
Limit of Freight in Vehicles, repealed.....	32
Laws, to be Codified and Revised.....	44
Lights, on Vehicles in Honolulu.....	58
Marshal, power to inspect Animals and Harness.....	32
Marshal, to exact Bond in Criminal Prosecutions.....	42
Martin, W. T., Released from Liability for School Monies.....	52
Nuisance, punishment for.....	14
Naptha, etc., quantity to be kept by Individuals.....	35
Oahu, Governor of, to receive Appropriation for Band, Flags, and Salutes.....	12
Opium, amending Law as to.....	28-29
Pilots, Compensation of, at the ports of Kahului and Hilo.....	14
Poundmasters, to publish Estrays.....	19

	PAGE.
Police Courts, Jurisdiction of, Extended.....	20
Public Instruction, Department of, may issue Royal Pat- ents for Lands.....	48
Protection of Sources of Streams.....	56
Railways, Amendments to Act respecting Construction of, etc.....	55
Sewers and Drains for Honolulu.....	33